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2002 MAY 20 PM 12:11

**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
May 23, 2002**

At any time during the "B" Session or the Regular City Council Meeting, the City Council may meet in executive session for consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security).

- I. The City Council will convene for a "B" Session in the B Room of the Municipal Plaza Building at 10:00 A.M. for the following:
 - A. Staff presentation on Market Square Plan. [Presented by Emil Moncivais, Director of Planning; Christopher J. Brady, Assistant City Manager]
 - B. Staff presentation on upcoming process and timeline for the selection of a developer for the Convention Headquarters Hotel Project. [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]
- II. The City Council will convene in Council Chambers, Municipal Plaza Building in a Regular Council Meeting at 1:00 P.M.
 1. Invocation by Rev. L.H. Mills, Mount Sinai Baptist Church, and Pledge of Allegiance.
 2. Ceremonial Items.
 3. Approval of the minutes of the Regular Council Meeting of April 25, 2002.

DISABILITY ACCESS STATEMENT

This meeting is wheelchair accessible. The accessible entrance is located at 103 Main Plaza. Accessible parking spaces are located at City Hall, 100 Military Plaza. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested forty-eight (48) hours prior to the meeting) by calling (210) 207-7245 V/TTY for assistance. Closed captioning is available on broadcasts of the Council meetings on 21-CHIC.

Questions regarding this agenda notice should be directed to the City Agenda Coordinator at 207-7080.

THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED:

4. 2:00 P.M. – Public Hearing and Consideration of the following Zoning Cases: [Presented by Christopher J. Brady, Interim Director Development Services; Terry M. Brechtel, City Manager]
- A. ZONING CASE NUMBER Z2002046: The request of Jose Juan Guerrero & Esperanza Guerrero, Applicant, for Jose Juan & Esperanza Guerrero, Owner(s), for a change in zoning from "C-2" Commercial District to "C-2 C" Commercial District with a specific use authorization for used auto sales on Lot 1, Block 58, NCB 7183, 2311 Capitol. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)
- B. ZONING CASE NUMBER Z2002066: The request of City of San Antonio, Applicant, for Michael Berlanga, Owner(s), for a change in zoning from "O-2 HD" Historic Office District to "R-6 HD" Historic Residential Single Family District on Lot A-1, NCB 1885, 125 W. Ashby. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)
- C. ZONING CASE NUMBER Z2001242: The request of Lawrence K. O'Neill, Applicant, for Lawrence K. O'Neill, Owner(s), for a change in zoning from "RM-4 H" Historic Residential Mixed District to "O-1 H" Historic Office District on Lot 16 and west 104.16 feet of Lot 10, Block 19, NCB 546, 525 Nolan Street and 619 N Mesquite Street. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 2)
- D. ZONING CASE NUMBER Z2002076-A: The request of City of San Antonio, Applicant, for Owner(s), for a change in zoning from "I-1" General Industrial District to "C-2" Commercial District, NCB 17322, Block 1, Lot 6 save and except the northwest 100 feet, and NCB 17322, P-32, NCB 17322, P-34, P-32D, P-32B save and except the northwest 100 feet, NCB 17992 P-33, NCB 17992, P-34, P-32A, P-32C, P34B, P-34C, P-63 save and except the northwest 100 feet and from "I-1" General Industrial District to "R-6" Residential Single Family District, NCB 12867, P-38, P-38B and P-36B on I.H. 10 East Corridor. Staff's recommendation was for approval. Zoning Commission has recommended (pending Zoning Commission Hearing on May 21, 2002) (Council District 2)
- E. ZONING CASE NUMBER Z2002076-B: The request of City of San Antonio, Applicant, for Owner(s), for a change in zoning from "I-1" General Industrial District to "C-2" Commercial District, NCB 17994 Lot 33 save and except the northwest 100 feet and NCB 17994, Lot 34, fronting on IH 10 east save and except the northwest 100 feet, from "I-1" General Industrial District to "R-6" Residential Single Family District on Lot 34 save and except the north 524.38 feet on I.H. 10 East Corridor. Staff's recommendation was for approval. Zoning Commission has recommended (pending Zoning Commission Hearing on May 21, 2002) (Council District 2)

- F. ZONING CASE NUMBER Z2002076-C: The request of City of San Antonio, Applicant, for Owner(s), for a change in zoning from "I-1" General Industrial District to "R-6" Residential Single Family District on NCB 17983, all of P-3D and NCB 17983, P-9A, P-10, P-2, P-3B and P-4 save and except the southeast 200 feet, from "I-1" General Industrial District to "C-2" Commercial District NCB 17983, P-9 save and except the southeast 100 feet on I.H. 10 East Corridor. Staff's recommendation was for approval. Zoning Commission has recommended (pending Zoning Commission Hearing on May 21, 2002) (Council District 2)
- G. ZONING CASE NUMBER Z2002076-D: The request of City of San Antonio, Applicant, for Owner(s), for a change in zoning from "C-3 R" Commercial Restrictive Alcoholic Sales District and "I-1" General Industrial District to "R-6" Residential Single Family District, NCB 16549, Lot 1, P-17A, P-17B and P-17C save and except the southeast 100 feet on I.H. 10 East Corridor. Staff's recommendation was for approval. Zoning Commission has recommended (pending Zoning Commission Hearing on May 21, 2002) (Council District 2)
- H. ZONING CASE NUMBER Z2002076-E: The request of City of San Antonio, Applicant, for Owner(s), for a change in zoning from "I-1" General Industrial District to "C-3" Commercial District, P-2 and P-5, NCB 16568 on I.H. 10 East Corridor. Staff's recommendation was for approval. Zoning Commission has recommended (pending Zoning Commission Hearing on May 21, 2002) (Council District 2)
- I. ZONING CASE NUMBER Z2002076-F: The request of City of San Antonio, Applicant, for Owner(s), for a change in zoning from "I-1" General Industrial District to "R-6" Residential Single Family District, P-6A, P-6B, P-6C, P-6D and P-6E, NCB 16555, and from "I-1" General Industrial District to "MF-25" Multi Family District, P-6 save and except the south 500 feet, NCB 16555, and from "I-1" General Industrial District to "C-1" Commercial District, P-6, the south 500 feet, NCB 16555, on I.H. 10 East Corridor. Staff's recommendation was for approval. Zoning Commission has recommended (pending Zoning Commission Hearing on May 21, 2002) (Council District 2)
- J. ZONING CASE NUMBER Z2002049: The request of City of San Antonio, Applicant, for Multiple property owners, Owner(s), for a change in zoning to large lot residential and Neighborhood Preservation District based on specific lot size and existing character of the area, the vacant "MH" Manufactured Housing District on Majestic Drive should be rezoned to "R-6" Residential Single Family District and existing commercial uses shall be rezoned to their corresponding commercial districts, on property generally bounded by Ingram Road to the south, Callaghan Road to the west and north, Bandera Road to the northeast, and Benrus Boulevard to the east Ingram Hills Neighborhood. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

- K. ZONING CASE NUMBER Z2002032: The request of A.R. Perez, Jr., Applicant, for A.R. Perez, Jr, Owner(s), for a change in zoning from "R-4" Single-Family Residence District to "O-1" Office District on Lots 12, 13, 20, 21 & 22, Block 2, NCB 6228, 100 Perry Ct. and 100 Davis Ct. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 9)
- L. ZONING CASE NUMBER Z2002033C: The request of Fire & Police Pension Fund, Applicant, for Shearer Hills Baptist Church, Owner(s), for a change in zoning from "R-4" Residential Single-Family District and "R-5" Residential Single-Family District to "C-2" Commercial District (1.734 acres), "R-4 C" Residential Single-Family District with a conditional use for a non-commercial parking lot (1.747 acres) and "R-5 C" Residential Single-Family District with a conditional use for a non-commercial parking lot (0.5275 acres) on Lots 1, 2, 3, 4, and 5, Blk 2, NCB 10063 and Lots 1, 2, 3, 4, 5 and 12, Blk 2, NCB 11016, 802-803 Oblate Drive. Staff's recommendation was for approval with conditions. Zoning Commission has recommended approval as per staff's recommendation. (Council District 9)
5. 3:00 P.M. – Public Hearing and Consideration of the following Ordinances. [Presented by Andrew Cameron, Director of Housing and Community Development; Frances A. Gonzalez, Assistant to the City Manager]
- A. An Ordinance adopting the 28th Year Community Development Block Grant (CDBG) in the amount of \$20,511,000.00 as contained in the Fiscal Year 2002-2003 consolidated plan annual budget; authorizing the 28th Year CDBG Program; designating the 28th Year CDBG Program funds; appropriating 28th Year Program funds in the amount of \$20,511,000.00; allocating Program funds to projects; establishing accounts; delineating Program responsibilities; authorizing personnel classifications and pay ranges; authorizing payment to the San Antonio Local Development Company, Inc. in the amount of \$117,002.65 for the September 1, 2003 installment in connection with two defaulted HUD Section 108 loans; authorizing execution of all required contracts and related documents in connection with said 28th Year CDBG Program, and the projects thereunder; and authorizing the submission of the CDBG grant to the U.S. Department of Housing and Urban Development (HUD) for the Fiscal Year 2002-2003 consolidated plan annual budget, certifications and other information as required to HUD.
- B. An Ordinance adopting the Fiscal Year 2002-2003 Housing Opportunities for Persons with AIDS Entitlement Grant (HOPWA) in the amount of \$965,000.00 as contained in the Fiscal Year 2002-2003 consolidated plan annual budget; authorizing the Fiscal Year 2002-2003 HOPWA program; designating the Fiscal Year 2002-2003 HOPWA Program funds; appropriating Fiscal Year 2002-2003 Program funds in the amount of \$965,000.00; allocating Program funds to projects; establishing accounts; delineating program responsibilities; authorizing personnel classifications and pay ranges; authorizing execution of contracts and other documents as necessary in connection with said Fiscal Year 2002-2003 HOPWA Program and the projects thereunder; and authorizing the submission of the HOPWA grant to the U.S. Department of Housing and Urban Development (HUD) for the Fiscal Year 2002-2003 consolidated plan annual budget, certifications and other information as required to HUD.

- C. An Ordinance adopting the Fiscal Year 2002-2003 Emergency Shelter Grant (ESG) in the amount of \$715,000.00 as contained in the Fiscal Year 2002-2003 consolidated plan annual budget; authorizing the fiscal year 2002-2003 ESG Program; designating the fiscal year 2002-2003 ESG Program funds; appropriating fiscal year 2002-2003 Program funds in the amount of \$715,000.00 [entitlement] and \$715,000.00 from in-kind match; allocating Program funds to projects; establishing accounts; delineating program responsibilities; authorizing personnel classifications and pay ranges; authorizing execution of all required contracts and related documents as necessary in connection with said Fiscal Year 2002-2003 ESG Program and the projects thereunder; and authorizing the submission of the ESG grant to the U.S. Department of Housing and Urban Development (HUD) for the Fiscal Year 2002-2003 consolidated plan annual budget, certifications and other information as required to HUD.
- D. An Ordinance adopting the 11th Year Home Partnership Entitlement Grant (HOME) in the amount of \$7,874,000.00 as contained in the Fiscal Year 2002-2003 consolidated plan annual budget; authorizing the Fiscal Year 2002-2003 Home Partnership Entitlement Grant (HOME) Program; designating the Fiscal Year 2002-2003 HOME Program funds; appropriating Fiscal Year 2002-2003 Program funds in the amount of \$7,874,000.00; allocating Program funds to projects; establishing accounts; delineating program responsibilities; authorizing personnel classifications and pay ranges; authorizing a transfer of home funds in the amount of \$230,000.00 from the Housing and Neighborhood Revitalization Fund to the San Antonio Housing Trust; authorizing execution of all required contracts and related documents as necessary in connection with said Fiscal Year 2002-2003 HOME Program and the projects thereunder; and authorizing the submission of the HOME grant to the U.S. Department of Housing and Urban Development (HUD) for the Fiscal Year 2002-2003 consolidated plan annual budget, certifications and other information as required to HUD.

6. 5:00 P.M. – Citizens to Be Heard.

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:

CONSENT AGENDA

Items Concerning the Purchase of Equipment, Supplies and Services

7. An Ordinance accepting the low bid submitted by Traffic Parts, Inc. to provide the City of San Antonio Public Works Department with detector loop sealant on an annual contract basis for an estimated cost of \$40,320.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

8. An Ordinance accepting the low bid submitted by Performance Truck & Equipment, LTD. (MBE), to provide the City of San Antonio Public Works Department with shredding equipment parts and service on an annual contract basis for an estimated cost of \$50,000.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
9. An Ordinance accepting the low bid submitted by Performance Truck & Equipment, LTD. (MBE), to provide the City of San Antonio Public Works Department with pothole patcher parts and service on an annual contract basis for an estimated cost of \$50,000.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

10. An Ordinance approving Field Alteration No. 1 and authorizing payment in the amount of \$117,190.42 from 1994 Drainage Bonds to KGME Company, Inc. for construction expenses in connection with the Octavia Drainage Project #63, Phase I, located in Council District 5; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
11. An Ordinance accepting the low, qualified bid of Texas Sterling Construction, L.P. in the amount of \$343,523.00 in connection with the Grandview Neighborhood Streets, Phase IIIC (Hampton) Community Development Block Grant (CDBG) Project, located in Council District 2; authorizing a construction contract; authorizing \$24,232.50 for miscellaneous construction contingency expenses; authorizing \$16,962.75 for administrative costs; authorizing an additional \$6,750.00 payable to Grant Engineering for engineering expenses; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
12. An Ordinance ratifying services performed and appropriating an amount not to exceed \$116,695.12 for the Market Street Site Plaza Enhancement Project; transferring required funds to the City of San Antonio Parks and Recreation Department, for providing labor and related materials and equipment for electrical circuiting, landscaping and services associated with the installation of irrigation components associated with the Henry B. Gonzalez Convention Center Expansion Project; and providing for payment. [Presented by Jelynn LeBlanc Burley, Director, Convention Center Expansion Office; Roland A. Lozano, Assistant to the City Manager]
13. An Ordinance ratifying work previously performed and completed, resolving disputes associated with delays and inefficiencies, addressing and resolving potential claims; amending the construction contingency; and approving the terms and conditions related to the final fiscal closeout and settlement of contracted work for Field Alterations 29, 30 and 31, in the total amount of \$526,505.50, payable to Browning Construction Co. for work associated with the Henry B. Gonzalez Convention Center Expansion Project; and providing for payment. [Presented by Jelynn LeBlanc Burley, Director, Convention Center Expansion Office; Roland A. Lozano, Assistant to the City Manager]

14. An Ordinance amending the Dispute resolution budget line item with the overall Convention Center Expansion Project budget in an amount not to exceed \$41,110.28; ratifying the selection of Peter G. Doyle Associates as the neutral third party administrator for the Dispute Review Board (DRB) and the related services provided; ratifying the claims avoidance provision of the original agreement with 3D/International (3D/I) to include services for testimony and claims preparation associated with the DRB and the related services provided; and authorizing payment of document duplication services provided by Paper Chase/Grafix Solutions associated with the audit of related construction and pay application documents for review during the dispute resolution process for the Henry B. Gonzalez Convention Center Expansion Project; and providing for payment. [Presented by Jelynn LeBlanc Burley, Director, Convention Center Expansion Office; Roland A. Lozano, Assistant to the City Manager]
15. An Ordinance authorizing execution of an advance funding agreement or other legal documents with the Texas Department of Transportation in connection with Miller's Pond Park Entrance Realignment on Pearsall Road in City Council District 4 in the amount of \$62,162.59; encumbering funds from 25th Year Community Development Block Grant (CDBG) funds approved for Miller's Park Pond; reimbursing the General Fund in the amount of \$14,602.00; allocating \$3,235.41 for park materials; and authorizing payment. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
16. An Ordinance amending the professional services contract with Bender Wells Clark Design in the amount of \$63,000.00 to provide additional architectural services in connection with the signage upgrade at San Antonio International Airport; authorizing \$6,300.00 for architectural contingencies; authorizing \$6,500.00 for administrative expenses; appropriating funds; revising the budget; and providing for payment. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

17. An Ordinance authorizing a ten (10) year License Agreement with Mark Nutritionals, Inc. to use air space above public right of way across Embassy Oaks Drive to install fiber optic cable approximately 1/10 of a mile from the intersection of Embassy Oaks Drive and San Pedro Avenue, for the consideration of \$5,000.00. [Presented by Rebecca Waldman, Director, Department of Asset Management; Christopher J. Brady, Assistant City Manager]
18. An Ordinance reaffirming and declaring that the San Antonio Water System's Aquifer Storage and Recovery Project ("ASR Project") is a necessary public project; further reaffirming and declaring that a public necessity exists for the acquisition of permanent easement interests across, over, upon and under certain privately owned properties described below, by negotiation and/or condemnation, if necessary for public improvements for use as part of the ASR Project; authorizing the San Antonio Water System to acquire permanent easement interests across, over, upon and under certain privately owned real properties, by negotiation and/or condemnation, if

necessary, for public improvements for use as part of the ASR Project, to wit, a portion of the properties listed as follows: 3.853 acres out of County Block 5149, Abstract 583, County Block 5150, Abstract 1178 and County Block 5192, Abstract 252; 6.147 acres out of County Block 5151, Abstract 502; 2.316 acres out of County Block 5151, Abstract 502; 4.371 acres out of County Block 5151, Abstract 502; 1.826 acres out of County Block 5151, Abstract 502; 1.216 acres out of County Block 5151, Abstract 502; 2.144 acres out of County Block 5151, Abstract 502; 6.059 acres out of Abstract 469; 25.564 acres out of Abstract 743, New City Block 12867 and New City Block 17993 and partially in County Block 5098; 1.663 acres out of Lot 5, New City Block 14480; 0.606 acres out of New City Block 10669, Block 7, Lots 71 and 72; 2.739 acres out of Block 6, Lot 4, New City Block 16471 of the remaining portion of Tract A, New City Block 12203, all in Bexar County, Texas, for a public purpose as part of the ASR Project; authorizing the system, its employees, agents, and/or their authorized independent negotiators to negotiate and execute all sales and other agreements, easements and other necessary documents with the owners of certain privately owned properties described above and to take all other lawful actions necessary or incidental to survey, specify, clarify, define and acquire the permanent easement interests across, over, upon and under certain privately owned properties as described above; further authorizing the system and its attorneys to file eminent domain proceedings, if necessary, and prosecute all such condemnation proceedings through conclusion (including final judgement and all necessary appeals) for the condemnation of the permanent easement interests across, over, upon and under certain privately owned properties as described above; approving, ratifying and declaring valid all prior acts and proceedings done or initiated by attorneys, agents and employees of and/or acting for the system to acquire such permanent easement interests across, over, upon and under certain privately owned properties as described above; declaring that the conveyance of all such permanent easements in certain privately owned properties as described above shall be to the City of San Antonio for the use and benefit of the San Antonio Water System; finding the ordinance to have been considered pursuant to the laws governing open meetings; and establishing an effective date. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Miscellaneous

19. An Ordinance authorizing the acceptance of an amount not to exceed \$130,000.00 from the Bexar County Hospital District d/b/a University Health System to renew the San Antonio Metropolitan Health District's ongoing Women's Health Program; authorizing the execution of the agreement with University Health System; adopting a budget for the Women's Health Program; approving a personnel complement; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]
20. An Ordinance authorizing the execution of a one (1) year extension with Texas Closed Captioning to provide the City with closed captioning services beginning June 7, 2002 for the amount of \$30,000.00. [Presented by Jim Campbell, Director, External Relations; Terry M. Brechtel, City Manager]

21. An Ordinance authorizing the negotiation and execution of a contract with Towers Perrin, Inc. in an amount not to exceed \$95,000.00 to perform a one-time health benefits plan design review and actuarial analysis of the City's Self-Funded Health Benefits Program. [Presented by Elisa Pena Bernal, Director of Human Resources; Travis M. Bishop, Assistant City Manager]

Approval of Temporary Street Closures and Traffic Control Procedures for Special Events

22. An Ordinance approving the parade permit and authorizing the temporary closure of portions of certain streets near the Alamodome in connection with the Juneteenth Parade to be held on Saturday, June 15, 2002 from 8:30 A.M. to 12:00 P.M. [Presented by Travis M. Bishop, Assistant City Manager; Terry M. Brechtel, City Manager]
23. **Board, Commissions and Committee Appointments.** [Presented by Norma Rodriguez, City Clerk, Travis M. Bishop, Assistant City Manager]
- A. An Ordinance reappointing Jody R. Sherrill (District 8) to the Open Space Advisory Board for a term of office to expire on August 29, 2003
- B. An Ordinance appointing Rose Magallanes (District 9) to the Affirmative Action Advisory Committee for a term of office to expire on January 31, 2004.
- C. An Ordinance appointing Mark Merlo (District 1) as Trustee, Ed White (District 6) as Trustee/Director and Marianne Watson (District 9) as Trustee to the San Antonio Local Development Company for terms of office to expire on May 9, 2003, May 9, 2004 and May 9, 2003, respectively.
- D. An Ordinance reappointing Mary E. Briseno (District 10) to the Mayor's Commission on the Status of Women for a term of office to expire on December 15, 2003.
- E. An Ordinance appointing Edward Patrick Magallanes (District 9) to the Small Business Economic Development Advocacy Advisory Committee for a term of office to expire on November 20, 2003.

ITEMS FOR INDIVIDUAL CONSIDERATION

24. An Ordinance authorizing a Yanaguana Cruises, Inc. Ticket and Boarding Station on the San Antonio Riverwalk Presidio Plaza area in City Council District 1 with an adjacent photography concession on Presidio property and authorizing an additional shuttle stop location at Portal San Fernando. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

25. An Ordinance authorizing the execution of a collective bargaining agreement with the Local 624 International Association of Fire Fighters for a term from June 3, 2002 through September 30, 2005; and amending Ordinance No. 94578, passed and approved September 30, 2001 by revising certain department budgets and pay plans in connection with said agreement. [Presented by Erik Walsh, Assistant to the City Manager; Travis M. Bishop; Assistant City Manager]
26. An Ordinance authorizing the execution of a contract with True Flavors Culinary Planners in an amount not to exceed \$4,566,280.00 for the provision of meal preparation services in support of the City of San Antonio's Comprehensive Nutrition Project (CNP) administered by the Department of Community Initiatives for the period of August 1, 2002 to December 31, 2004; authorizing a budget adjustment associated with payment of said contract; approving a revised personnel complement; and terminating all current CNP agency contracts; and authorizing the execution of new contracts with all CNP sites. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]
27. An Ordinance authorizing the execution of a Donation Agreement between the City of San Antonio, Texas and the Consulado General de Mexico, Instituto Cultural Mexicano, Universidad Nacional Autonoma de Mexico in San Antonio and Asociacion de Empresarios Mexicanos providing for the donation to the City and acceptance of the "Torch of Friendship" sculpture, created by the well-known Mexican Artist Sebastian, which shall be permanently located at the intersection of Losoya, Commerce and Alamo Streets. [Presented by Henry Sauvignet, Director of International Affairs; Christopher J. Brady, Assistant City Manager]
28. Consideration of the following Ordinances: [Presented by Milo Nitschke, Director of Finance; Terry M. Brechtel, City Manager]
- A. An Ordinance approving the Development Services component of Phase III of the Enterprise Resource Management Project to the existing contract (Ordinance No. 94040, approved May 31, 2001) with Deloitte Consulting L.P. to obtain professional services for the implementation of the land management and development system; appropriating and encumbering funds in an amount not to exceed \$7,097,500.00; authorizing payment and execution of the required documents; and delegating the authority to approve change orders as may be required by the City of \$25,000.00 or less to the Director of Finance.
- B. An Ordinance approving the selection of Hansen Information Technologies, Inc. to provide the City of San Antonio with land management and development software and five years of service and maintenance in the initial amount of \$1,313,000.00 for the purchase of proprietary software licenses and \$118,067.00 for the first four months of support and maintenance; providing for service and maintenance for five years at an initial amount of \$354,200.00 per year and providing for adjustment in fees subject to a maximum of five percent annual increase; appropriating funds and authorizing payment.

- C. An Ordinance approving a continuance of the contract with the law firm of Cox and Smith, Inc. which has assisted in all previous phases of the project and which would continue to provide legal services to assist the City Attorney's Office in negotiating contracts with the proposed vendors of the Enterprise Resource Management Project, and with Deloitte Consulting, L.P., and the associated computer and software firms in an additional amount not to exceed \$150,000.00, for a total contract amount of \$225,000.00; appropriating and encumbering funds; and providing for payment.
29. An Ordinance authorizing the expenditure of \$250.00 from the District 6 Contingency Account Fund, payable to Making a Difference, an organization for community youth, to be used to offset the costs of food and games for its annual summer program; as requested by Councilman Enrique M. Barrera.
30. Project update on the Harlandale Apartment Building located at 354 E. Southcross in Council District 4; as requested by Councilman Enrique "Kike" Martin.
31. City Manager's Report.
32. Executive Session: Consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security) may be discussed.

Personnel Matter regarding required annual written performance evaluation of City Manager Terry M. Brechtel.